

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated November 5, 2009 (U.S. Patent Office Paper No. 20091104). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1, 4-6, 8-11, and 16-17 stand for consideration in this application, wherein claims 1, 4, 8, and 16 are being amended to improve form.

All amendments to the application are fully supported therein. For example, the amendments to the claims are supported by paragraphs [0027]-[0034] of the present application as originally filed. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Prior Art Rejections

The Examiner rejected claims 1 and 17 under 35 U.S.C. §103(a) as being unpatentable over Nikander (U.S. Patent Application Pub. No. 2002/0133607) in view of Turner (U.S. Patent No. 6,018,524), and in further view of IPv6 (RFC 3633: IPv6 Prefix Options for DHCPv6, November 2002). The Examiner rejected claims 4-6, 8, and 11 under 35 U.S.C. §103(a) as being unpatentable over Nikander in view of IPv6. The Examiner rejected claims 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Nikander in view of IPv6, and in further view of Wada (U.S. Patent No. 5,517,618). The Examiner rejected claim 16 under 35 U.S.C. §103(a) as being unpatentable over Akhtar (U.S. Patent No. 6,769,000) in view of Nikander, and in further view of IPv6. Applicants have reviewed the above-noted rejections, and hereby respectfully traverse.

A proper obviousness rejection that relies on a combination of prior art elements requires establishing that the prior art references, when combined, teach or suggest all of the claim limitations. MPEP §2143. Furthermore, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385 (C.C.P.A. 1970). That is, to render a claim obvious under 35 U.S.C. §103, a determination must be made that the claimed invention “as a whole” would have been

obvious to person of ordinary skill in the art when the invention was unknown and just before it was made. MPEP §2142.

As outlined above, claims 1, 4-6, 8-11, and 16-17 remain of record. Accordingly, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, suggest, or disclose each and every limitation of claims 1, 4-6, 8-11, and 16-17. For example, none of the cited references teach or suggest “a memory that holds **prefix allocation allow/prohibit information** of the terminal device, the prefix allocation allow/prohibit information **indicating whether allocation of a prefix to the terminal device is allowed or prohibited**” as required by independent claim 1. On page 3 of the Office Action, the Examiner cites paragraph [0141] of Nikander as teaching this required limitation of claim 1. Applicants respectfully disagree. In fact, Applicants respectfully submit that paragraph [0141] of Nikander, as well as the entire remainder of the disclosure of Nikander, fails to include any mention or suggestion of any information indicating whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1.

Nikander is directed to “[a] method of verifying that a host coupled to an IP network is authorised to use an IP address which the host claims to own, **the IP address comprising a routing prefix** and an interface identifier part.” (Abstract) (emphasis added). It is obvious that where a host is claiming to own an IP address that already comprises a routing prefix, such a routing prefix has already been allocated to the host. That is, Nikander does not include any discussion of any information related to whether any allocation of a prefix is allowed or prohibited. Rather, Nikander contrastingly describes verifying that a host is authorized to use an IP address by “comparing the result or a derivative of the result against the interface identifier part of the IP address.” (Abstract). Therefore, not only does the IP address authorization check described in Nikander require that a routing prefix have already been allocated to the host, Nikander describes that the IP address is verified based on the interface identifier part.

As Nikander explains with reference to the IPv6 internet protocol, “[t]he first 64 bits of an address form a routing prefix which uniquely identifies the Internet access node (or so-called ‘local link’) used by an IP terminal or host, whilst the last 64 bits form a host suffix which uniquely identifies the mobile terminal to the access node (or within the local link). The host suffix is referred to as an ‘interface identifier’ as it identifies the host uniquely over the access interface.” (Para. [0002]). With regard to allocation of such a routing prefix,

Nikander merely explains that “[t]ypically, when a host registers with an access node, the host learns the routing prefix of the access node from an advertisement message sent from the access node.” (Para. [0002]). The only other discussion of allocation of a routing prefix in Nikander is provided in paragraph [0048], where merely provides that “[assuming] that one of the hosts 1 is new to the access network 7, and **for that host the access network is a foreign network** (and hence the access node 6 is a foreign agent). **The host 1 discovers this fact by receiving a Router Advertisement message from the foreign agent** (this message may be a message broadcast periodically by the foreign agent, or may be sent to the host 1 in response to a Router Solicitation message sent to the foreign agent from the host 1). **The host 1 learns from the Router Advertisement message a routing prefix** which uniquely identifies the foreign agent within the Internet.” (Emphasis added). That is, Nikander simply describes that a host learns of a routing prefix from a foreign agent and includes no mention or suggestion of anything involving information indicating whether allocation of a prefix is allowed or prohibited, as required by claim 1. Moreover, paragraph [0141] of Nikander describes an IP address verification process and is entirely unrelated to prefix allocation. A foreign agent that is merely described as transmitting a routing prefix for a host, as provided Nikander, is clearly not a memory that holds prefix allocation allow/prohibit information of a terminal device that indicates whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1.

Likewise, Turner also fails to include any mention or suggestion of any information indicating whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1. Rather, Turner contrastingly describes a routing apparatus “**for looking-up destination addresses and matching them to a prefix in order to determine an output data link for routing of the data message to a destination.**” (Abstract) (emphasis added). It is obvious that where a where data is being routed to a destination address, that the destination address already comprises a routing prefix and, therefore, that a routing prefix has already been allocated to the destination. That is, Turner does not include any discussion of any prefix allocation or any information related to whether any allocation of a prefix is allowed or prohibited, as required by claim 1. Similarly, IPv6 simply defines a protocol for “automated delegation of IPv6 prefixes using DHCP” (p. 1) and also fails to include any mention or suggestion of any information indicating whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1. As IPv6 explains on page 3, “the delegating router **does not require other information aside from the identity of the requesting**

router to choose a prefix for delegation.” A delegating router that is merely described as choosing a prefix for delegation to a requesting router, as provided Nikander, is clearly not a memory that holds prefix allocation allow/prohibit information of a terminal device that indicates whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1.

Furthermore, neither Wada nor Akhtar includes any mention or suggestion of memory that holds prefix allocation allow/prohibit information of a terminal device that indicates whether allocation of a prefix to the terminal device is allowed or prohibited, as required by claim 1. Accordingly, none of the cited references teach or suggest “a memory that holds prefix allocation allow/prohibit information of the terminal device, the prefix allocation allow/prohibit information indicating whether allocation of a prefix to the terminal device is allowed or prohibited” as required by claim 1. For this reason alone, claim 1 is patentable over the cited references.

In another example, none of the cited references teach or suggest “communications interface that...rewrites said **prefix allocation allow/prohibit information**” as required by claim 1. The Examiner cites paragraph [0232] of Nikander as teaching this required limitation of claim 1. Applicants respectfully disagree. Paragraph [0232] of Nikander is directed to IP address verification and is entirely unrelated to information pertaining to prefix allocation. As discussed above, neither Nikander nor any of the other cited references include any mention or suggestion of any prefix allocation allow/prohibit information, as required by claim 1. For this reason alone, claim 1 is patentable over the cited references.

In yet another example, none of the cited references teach or suggest that “said processor is implemented to run a second routine in which **an inquiry on whether prefix allocation is allowed or prohibited is received** from said terminal control device, **said prefix allocation allow/prohibit information is searched**, and **the prefix allocation allow/prohibit information acquired is sent** to said terminal control device” as required by claim 1. Rather, as discussed above, none of the other cited references include any mention or suggestion of any prefix allocation allow/prohibit information, as required by claim 1. For this reason alone, claim 1 is patentable over the cited references.

In still yet another example, none of the cited references teach or suggest that “the terminal control device...allocates prefix information to the terminal device **based on the prefix allocation allow/prohibit information**” as required by claim 1. Rather, as discussed above, none of the other cited references include any mention or suggestion of any prefix

allocation allow/prohibit information, as required by claim 1. For this reason alone, claim 1 is patentable over the cited references.

For at least these reasons, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, disclose, or suggest each and every limitation of claim 1 and, therefore, that claim 1 is now in condition for allowance. For at least similar reasons to those discussed above with respect to claim 1, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, disclose, or suggest any of the similar limitations required by independent claim 4 of “a server device...that holds prefix allocation allow/prohibit information which indicates whether allocation of a prefix for the terminal device is allowed or prohibited”; that “if said server device approves allocation of the prefix to said terminal device, prefix information is allocated to said terminal device”; and that “the terminal control device...allocates the prefix information to the terminal device based on the information allowing prefix allocation for said terminal device.”

Moreover, for at least similar reasons to those discussed above with respect to claim 1, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, disclose, or suggest any of the similar limitations required by independent claim 8 of “said information processor device...making an inquiry for prefix allocation allow/prohibit information indicating whether allocation of a prefix is allowed or prohibited to said server device, and notifies said terminal control device upon allocation of the prefix being approved” and “said terminal control device...allocating the prefix information to the terminal device based on the information allowing prefix allocation for said terminal device.” In addition, for at least similar reasons to those discussed above with respect to claim 1, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, disclose, or suggest any of the similar limitations required by independent claim 16 of “holding prefix allocation allow/prohibit information of the terminal device that indicates whether allocation of a prefix is allowed or prohibited”; “receiving a response from the calling authority server that indicates whether prefix allocation is allowed with a prefix”; and that “the terminal control device...allocates prefix information to the terminal device based on the prefix allocation allow/prohibit information.” Therefore, claims 4, 8, and 16 are also now in condition for allowance.

Where an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 5 U.P.S.Q.2d 1596, 1598 (Fed. Cir. 1988). Because Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, fails to teach, disclose, or suggest each and every limitation required by each of claims 1, 4, and 8 respectively, and because claim 17, claims 5 and 6, and claims 9-11 depend either directly or indirectly from claims 1, 4, and 8 respectively, Applicants respectfully submit that Nikander, either alone or in combination with Turner, IPv6, Wada, and/or Akhtar, does not render obvious claim 17, claims 5 and 6, and claims 9-11 for at least the reasons set forth above that it does not render obvious claims 1, 4, and 8 respectively and, therefore, that claims 5, 6, 9-11, and 17 are also now in condition for allowance.

Therefore, Applicants respectfully submit that the present invention as claimed is distinguishable and thereby allowable over the prior art of record.

Conclusion

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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